

Notice of Allowability

Application No.

10/616,211

Examiner

Tuan V. Thai

Applicant(s)

IIDA ET AL.

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 12/13/2004 and Examiner interview conducted on 03/15/05.
2. ☒ The allowed claim(s) is/are 17 and 19 renumbered as 1-2 respectively.
3. ☒ The drawings filed on 09 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/693,125.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

TUAN V. THAI
PRIMARY EXAMINER

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Attorney's Docket No.: 7217/62906-Z

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

In re application of: Iida et al. Group: 2186
Serial No.: 10/616,211 Examiner: Tuan Thai
For: *DATA REWRITING APPARATUS, CONTROL METHOD, AND RECORDING
MEDIUM.*

1. This action is responsive to amendment filed December 13, 2004 and Examiner interview conducted on March 15, 2005. Claim 17 is amended. Claims 17 and 19 are now allowed.

EXAMINER'S AMENDMENT

2. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

3. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Pedro Fernandez; Reg. No. 41,741 on March 15, 2005.

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4. The application has been amended as follows:

a. In the claims:

a1. Amending claim 17 as following:

Claim 17 (Amended) A plate recording medium comprising:

an update data recording region having recorded therein update data for updating data stored in a nonvolatile memory of a portable digital operating apparatus, wherein the plate recording medium is removably installed in the portable digital operating apparatus;

a program data recording region having recorded therein program loading data for use in transferring the update data from the plate recording medium to the nonvolatile memory of the portable digital operating apparatus; and

a discrimination data recording region having recorded therein discrimination data for reading by the portable digital operating apparatus to determine whether the plate recording medium has the program loading data recorded thereon[.];

a first position recording region for recording first position data indicating a position of the update data recorded in the plate recording medium;

a management data recording region having recorded therein management data for managing the data recorded in the plate

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recording medium, separate from the first position recording region in which the first position data is recorded.

REASONS FOR ALLOWANCE

5. The following is an Examiner's Statement of Reasons for Allowance:

The prior art of record does not teach or suggest, alone or in combination, **all** the limitations of the amended claim of the current invention (claim 17). The prior art of record (particularly Eagle reference 6,226,739) do not teach nor suggest the combinations of elements and their functions as being recited in the independent claim 17 as being argued by Applicant's counsel in the amendment filed 12/13/2004; particularly a discrimination file which supports the program loader of the personal digital assistant wherein the program loader file is provided on the plate memory itself to prevent the rewrite of the nonvolatile data. The prior arts of record do not further disclose the specific regions on the plate memory, particularly a first position recording region for recording first position data indicating a position of the update data recorded in the plate recording medium and a management data recording region for recording therein management data for managing the data recorded in the plate recording medium, separate from the first position recording region in which the first position data is recorded.

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In light of the foregoing, claim 17 of the present application are found to be patentable over the prior arts.

Claim 19 further limit the allowable independent claim 17. These claims are therefore allowable for the same reason as set forth above.

Any comments considered necessary by Applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan V. Thai whose telephone number is (571)-272-4187. The examiner can normally be reached on from 6:30 A.M. to 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew M. Kim can be reached on (571)-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through

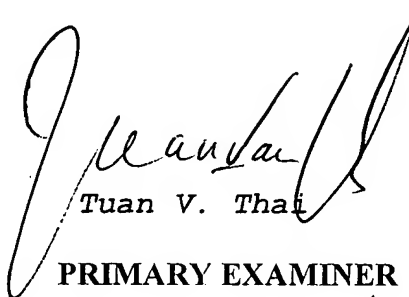
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Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVT/March 15, 2005



Tuan V. Thai

PRIMARY EXAMINER

Group 2100